

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James Sinclair et al.

Application No.: 10/694,758

Confirmation No.: 5750

Filed: October 29, 2003

Art Unit: 3693

For: TRADING SYSTEM

Examiner: J. Lemieux

STATEMENT OF SUBSTANCE OF INTERVIEW

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A telephone interview between Examiner Chandler and applicants' undersigned representative was conducted on January 22, 2010. The following is a statement of the substance of the interview.

During the interview, applicants' undersigned representative discussed the arguments and amendments to the claims presented in the Amendment/Submission filed on November 20, 2009.

In particular, applicants' undersigned representative discussed a distinction between Togher and the independent claims. Namely, in Togher, a party is only permitted to initiate a trade relating to a quote on the system owned by a maker with which the party has credit. On the other hand, in the system and method of the independent claims, the trading system is configured to receive a message from a party relating to a quote owned by a counterparty with whom the party does not have credit to deal.

The Examiner stated that as the independent claims were amended in the paper filed November 20, 2009, she more clearly understands the intended scope of the claim features argued in the response, and the argued distinction between the claim features and the Togher reference, as set forth in the November 20, 2009 paper. The Examiner stated that she would very likely contact us once the case comes up on her docket in an effort to expedite further prosecution of the case.

Dated: February 9, 2010

Respectfully submitted,

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